

IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION

JANE DOE

Plaintiff,

V.

KERRVILLE INDEPENDENT SCHOOL DISTRICT

Defendant.

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CIVIL ACTION NO.
5:21-cv-00369

**PLAINTIFF'S RESPONSE IN OPPOSITION
TO DEFENDANT'S MOTION TO EXTEND
PRETRIAL MOTIONS DEADLINE**

Jane Doe asks this Court to deny KISD's motion to extend and keep the May 22, 2023 pretrial motions deadline the same. Moving the pretrial motions deadline—especially for dispositive motions—will impede the mediation process. It also makes keeping this case on track for its September trial setting unnecessarily difficult in the event mediation proves unsuccessful. Jane asks the Court to deny the motion.

1. KISD has consistently told Jane Doe that it views this case as a summary judgment case throughout this litigation. Even though Jane Doe disagrees with KISD's characterization of the case, she expects the District will argue at mediation that its confidence in obtaining summary judgment reduces the value of Jane's case.

2. If that's the case, having the motion for summary judgment that KISD puts so much faith in before going into mediation will make the process more productive. It will enable both parties to more accurately evaluate their respective risks so that they can make informed decisions throughout negotiation.

3. The delay KISD requests also threatens to throw this case off track for the September trial setting should mediation prove unsuccessful. Pushing the deadline for filing dispositive, *Daubert*, and other pre-trial motions unduly compresses the time available for the Court to decide those motions and for the parties to meet other deadlines in the DCO. If KISD doesn't file its motion for summary judgment and any other pretrial motions it may have until June 19, briefing won't even close until July 10 under the local rules, shortening the time between motions briefing and trial by almost a month.

4. Keeping the present deadline will assist negotiations without putting unnecessary pressure on later deadlines in the Amended Scheduling Order if the parties are unable to settle the case.

PRAYER

For these reasons, Jane Doe asks the Court to deny Defendant's request to extend the pretrial motions deadline and asks for such other relief to which she may be justly entitled.

Respectfully Submitted,

/s/ Heather Lynn Long

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ATTORNEYS FOR JANE DOE

CERTIFICATE OF SERVICE

A true and correct copy of this response was filed with the Court and served on all parties through the Court's electronic filing system on May 21, 2023.

/s/ Heather Lynn Long

Heather Lynn Long